

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BADEN BADEN, INC.

Plaintiff,

-against-

AUBREY DRAKE GRAHAM, and OCTOBER'S
VERY OWN MERCHANDISING d/b/a OVO,

Defendants.

Case No. 13 CV 5986 (GBD)

PLEASE TAKE NOTICE that Defendants Aubrey Drake Graham and October's Very Own Merchandising (together, the "Defendants") hereby move this Court, pursuant to Fed. R. Civ. P. 12(b)(6), before the Honorable Hon. George B. Daniels, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an order dismissing the Complaint of Plaintiff Baden Baden, Inc. with prejudice. The basis for the Motion is set forth in the accompanying Memorandum of Law and Declaration of Jeffrey M. Movit dated December 13, 2013.

Dated: New York, New York
December 13, 2013

MITCHELL SILBERBERG & KNUPP LLP

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